

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA**

SHERRY ADAMS,  
Plaintiff,

V.

HOLLER LAW FIRM LLC,  
a Connecticut corporation,  
Defendant.

FEDERAL COURT CASE NO:

STATE CASE NO:  
2023CV375242

## **DEFENDANT'S NOTICE OF REMOVAL**

Defendant, Holler Law Firm, LLC (hereinafter “Holler”), by and through its undersigned counsel, herby submits the following grounds for removing *Adams v. Holler Law Firm, LLC*, C.A. 2023CV375242, filed in the Superior Court of Fulton County Georgia on January 23, 2023, together with a copy of all process and pleadings in Holler’s possession from the state court case. In support thereof, Holler states the following:<sup>1</sup>

1. On January 23, 2023, Plaintiff filed a lawsuit for various claims arising from a *writ of Fieri Facias* that was filed against her that constituted a lien against her marital home. Plaintiff appears to allege various conspiracy claims between

<sup>1</sup> Defendant does not waive and specifically reserves it's right to assert any defense to this action, including, but not limited to those defenses available pursuant to Federal Rule of Civil Procedure 12.

Holler, her ex-husband Andre Adams, Refund Realty and/or Najarian Capital for fraud, intentional infliction of emotional distress, defamation, “negligent infliction”, “making false statements”, perjury, “malicious prosecution”, and violations of the federal RICO statute. (Ex. 1 Plaintiff’s Statement of Claim).

2. On January 26, 2023, a copy of the Statement of Claim was left with Holler’s registered agent Northwest Registered Agent at their Roswell, GA location. (Ex. 2 Affidavit of Service, 02/01/2023).

3. Holler timely files this Notice of Removal within 30 days of receiving a copy of the complaint in accordance with 28 U.S.C. § 1446(b).<sup>2</sup>

4. Although Holler contends it was never properly served process in this matter, pursuant to 28 U.S.C. § 1446(a) which requires a copy of all process, pleadings and orders served upon Defendants to be included with a notice of removal, the Statement of Claim and Affidavit of Service are attached as Exhibits 1 and 2 respectively.

5. Venue is proper in this Division in accord with 28 U.S.C. § 90(a)(2) and § 1441(a).

6. Plaintiff is a resident of Georgia. (Ex. 1 at p.5).

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<sup>2</sup> Plaintiff failed to effectively serve Holler. Holler received no Summons and the Statement of Claim delivered is not a clocked in copy. Holler does not waive and specifically reserves its defense of insufficiency of service. Moreover, due to the insufficiency of service of process, Holler’s 30-day time period within which a responsive pleading must be filed, has not commenced.

7. Holler is a Limited Liability Corporation, incorporated, and with its principal place of business, in Connecticut.

8. All members of Holler Law Firm, LLC are residents of, and domiciled in, Connecticut.<sup>3</sup>

9. Paragraphs 7 and 8 set forth above conclusively establish Holler as a citizen of Connecticut.

10. Therefore, all parties to this action are citizens of different states.

11. The Statement of Claim alleges damages in excess of \$75,000. (Ex 1 at p. 4).

12. Based upon the amount in controversy and the diversity of the parties' citizenship, all requirements have been met for removal pursuant to 28 U.S.C. § 1332.

WHEREFORE, Defendant Holler Law Firm, LLC respectfully requests that this Honorable Court exercise jurisdiction over this matter.

RESPECTFULLY SUBMITTED,

/s/ Charles Eric Burkett, Esq.  
Charles Eric Burkett, Esq.  
Georgia Bar No. 142557  
Holler Law Firm, LLC  
185 Plains Rd.; Suite 100W  
Milford, CT, 06461  
Tel. (203) 301-4333  
EBurkett@Hollerlawfirm.com

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<sup>3</sup> If the Court desires the addresses of the members of the LLC, George and Jane Holler, Defendant can provide same for an *in camera* review.

Deborah P. Everett, Esq.  
Admitted in Texas (*pro hac vice* application  
forthcoming)  
Holler Law Firm, LLC  
185 Plains Rd.; Suite 100W  
Milford, CT, 06461  
Tel. (203) 301-4333  
Deborah.Everett@Hollerlawfirm.com

Timothy J. Wilson, Esq.  
Admitted in Delaware (*pro hac vice* application  
forthcoming)  
Holler Law Firm, LLC  
185 Plains Rd.; Suite 100W  
Milford, CT, 06461  
Tel. (203) 301-4333  
TWilsonEsq@Hollerlawfirm.com

*Attorneys for Defendant*